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FM AMEMBASSY BELGRADE
TO RUEHC/SECSTATE WASHDC PRIORITY 1032
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
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UNCLAS SECTION 01 OF 02 BELGRADE 000191

DEPT FOR EUR/SCE (P. PETERSON)

SENSITIVE
SIPDIS

E.O.12958: N/A

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SUBJECT: SERBIA ISSUES WARRANTS FOR BOSNIAN LEADERS FOR WAR CRIMES

REF: A) 08 Belgrade 1156, B) Belgrade 165

Summary

11. (SBU) Based on an apparent leak, the Serbian press has reported that the Serbian War Crimes Court has opened an investigation and issued arrest warrants against former Bosnian leaders, including former members of the Bosnia and Herzegovina Presidency, for a 1992 attack on the Yugoslav Army as it left Sarajevo. Press reports acknowledged that the attacks occurred while then Bosnian President Alija Izetbegovic was being held hostage by Serbian forces at Sarajevo airport. The investigation is still classified raising the question of who leaked the information and why. The timing was likely politically motivated, given that the news coincided with the conviction of several high-ranking Serbs for war crimes in Kosovo. End Summary.

Serbian Press Reports Investigation

12. (U) On February 26, the Serbian press reported that the Belgrade Special Court for War Crimes had opened an investigation of 19 individuals, including former members of the Bosnia and Herzegovina Presidency, Ejdup Ganic (Bosnian Muslim) and Stjepan Kljucic (Bosnian Croat), related to the May 1992 attack on the Yugoslav army as it retreated from Sarajevo. The press quoted the War Crimes Prosecutor's request to open the investigation, which cited an agreement between Bosnian and Yugoslav representatives on the army's peaceful withdrawal. The press also quoted Ganic as responding that Bosnian President Alija Izetbegovic had been kidnapped that day, and that Serbia was accusing all who had participated in his rescue "because everything did not end in the manner planned." Belgrade daily "Politika" also acknowledged that Izetbegovic was being held hostage during that time.

13. (U) The Interior Ministry subsequently issued a press statement confirming that it had issued search and arrest warrants on December 29, 2008, and War Crimes Prosecutor Vladimir Vukcevic told the media that the case had been under police investigation since 2006. War Crimes Prosecutor's Office spokesman Bruno Vekaric also told the press on March 4 that the office had presented evidence to the prosecutor in Bosnia in 2006 and had only decided to request the warrants in Serbia after concluding that the process in Bosnia was being obstructed.

Investigation an Official Secret

14. (SBU) How the investigation came to light is unknown. The War Crimes Prosecutor's office told us they could not discuss the case while it was still in the investigative phase. (Note: Organized crime and war crimes cases are considered official secrets in Serbia

before an indictment is issued.) ICTY Belgrade office head Deyan Mihov told us he had spoken with investigative judge Dilparic, who initiated the investigation and requested the warrants and who was very unhappy that news of the investigation had leaked to the press, because it was much more difficult to gather information for an indictment in a publicized case. Mihov said both Dilparic and War Crimes Prosecutor Vladimir Vukcevic were professional and he believed someone else had leaked the story for political reasons.

Motive for the Investigation

15. (SBU) Observers have commented that the timing of the investigation suggests there may be political motives. Mihov thought the timing might be related to Serbia's attempts to convince the Dutch to unblock implementation of Serbia's Stabilization and Association Agreement with the EU pending the capture of Mladic, whom the ICTY had charged with war crimes in Bosnia-Herzegovina. Helsinki Committee Chair Sonja Biserko told us she believed the case was part of a concerted effort to prove that Serbs were also victims in the war in Bosnia and to demonstrate that only individuals, not the Serbian government, were responsible for any atrocities committed.

Comment

16. (SBU) We believe War Crimes Prosecutor Vukcevic would not have requested the investigation if he did not believe there was a case. Although, as with the organ trafficking case (Ref A), the timing is suspicious, the warrants were actually issued over two months ago. Political elements likely found it convenient to leak the information at this time, in order to counterbalance the news the

BELGRADE 00000191 002 OF 002

same day of ICTY indictments against Serbs for war crimes in Kosovo (Ref B). End Comment.

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